



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEB 11 2013

Steven P. Zurcher
St. George Glass and Window Co., Inc.
504 Balsam Street
Kingsford, Michigan 49802

RE: MUR 6421
St. George Glass and Window Co., Inc.
Steven P. Zurcher

Dear Mr. Zurcher:

On June 21, 2011, you were notified that the Federal Election Commission found reason to believe that you and St. George Glass and Window Co., Inc., violated 2 U.S.C. § 441b in connection with a non-commercial aircraft flight on your company's airplane taken by Dan Benishek during his 2010 campaign for the U.S. House of Representatives. On July 11, 2011, you submitted a response to the Commission's reason to believe findings. After considering the circumstances of the matter, the Commission determined on February 5, 2013, to take no further action as to you and St. George Glass, and closed the file in this matter.

The Honest Leadership and Open Government Act of 2007 ("HLOGA") amended the Federal Election Campaign Act of 1971 (the "Act") to prohibit House candidates from making expenditures for non-commercial aircraft travel. 2 U.S.C. § 439a(c)(2). The Commission promulgated implementing regulations that became effective Jan. 6, 2010. See Explanation and Justification, 74 Fed. Reg. 63,951 (Dec. 7, 2009). Commission regulations provide that House candidates are prohibited from non-commercial air travel while campaigning, 11 C.F.R. § 100.93(c)(2), and from accepting in-kind contributions in the form of non-commercial air travel. *Id.* § 113.5(b). The prohibition applies to a House candidate who is a "campaign traveler," which includes, "any candidate traveling in connection with an election for Federal office." *Id.* § 100.93(a)(3)(i)(A).

Further, the Act prohibits corporations from making any contribution in connection with a federal election, and correspondingly prohibits candidates and committees from knowingly accepting such contributions. 2 U.S.C. § 441b. The Commission's regulations also prohibit officers from consenting to the making of a contribution by the corporation. 2 U.S.C. § 441b; 11 C.F.R. § 114.2(e).

The Commission cautions you to take steps to ensure that your and St. George Glass and Window's conduct is in compliance with the Act and the Commission's Regulations.

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Steven P. Zurcher
MUR 6421
Page 2

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). .

If you have any questions, please contact me at (202) 694-1548.

Sincerely,

A handwritten signature in black ink, appearing to read "Elena Paoli". The signature is fluid and cursive, with the first name "Elena" and last name "Paoli" clearly distinguishable.

Elena Paoli
Attorney

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